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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,998	10/06/2000	Christopher Peiffer	RLN-303	1970
23581	7590	09/03/2004	EXAMINER	
KOLISCH HARTWELL, P.C. 520 S.W. YAMHILL STREET SUITE 200 PORTLAND, OR 97204			OSMAN, RAMY M	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 09/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/680,998

Applicant(s)

PEIFFER ET AL.

Examiner

Ramy M Osman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8 is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) *
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. This communication is responsive to the amendment filed on May 4, 2004 where applicant amended claims 1,3 and 4, and added new claims 9-42. Claims 1-42 are pending.

Claim Objections

2. Claim 8 objected to because of the following informalities:

A claim cannot depend upon itself. Change "The method of claim 8" to "The method of claim 1". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1,7-10,13 and 17-19 rejected under 35 U.S.C. 102(e) as being anticipated by Gabler et al (US Patent No 6,300,959).
5. In reference to claims 1 and 19, Gabler teaches a method for transferring web page source data between a web server and a remote client over a computer network, the method comprising:

receiving a request for the web page source data from the remote client at an acceleration device positioned on the computer network intermediate the remote client and the web server (column 9 line 44 – column 10 line 37 and figures 6 & 7);

obtaining original web page source data from the web server, the original web page source data containing renderable character data and non-renderable character data, the renderable character data being data that affects the presentation of the web page by a browser, and the non-renderable character data being data that does not affect the presentation of the web page by a browser (Summary and column 10 lines 24-37);

filtering at least a portion of the non-renderable character data from the requested web page source data, thereby creating modified web page source data (Summary and column 10); and

transmitting the modified web page source data to the remote client over the computer network (column 9 lines 1-32 and column 10 lines 24-37).

6. In reference to claims 7 and 8, Gabler teaches the method of claim 1, wherein the acceleration device and remote client are connected by a WAN; and the WAN is the Internet (Column 8 lines 40-67).

7. In reference to claim 9, Gabler teaches the method of claim 1, wherein the non-renderable character data is character data compatible with the HTTP data transfer protocol (column 10 lines 24-37).

8. In reference to claim 10, Gabler teaches the method of claim 9, wherein the non-renderable character data is HTML data (column 10 lines 24-37). HTML is well-known to contain non-renderable data.

9. In reference to claims 13, Gabler teaches the method of claim 10, wherein the non-renderable character data includes comments (column 3 lines 1-5).

10. In reference to claims 17 and 18, Gabler teaches method of claim 1, wherein the filtering and transmitting of the modified web page source data over the computer network to the remote client are performed in less time than the original web page source can be directly transmitted from the web server to the remote client; and wherein the file size of the modified web page source data is smaller than the original web page source data (Summary and column 11 lines 1-40).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 2 and 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Gabler et al (US Patent No 6,300,959) in view of Bodin et al (US Patent No 6,311,223).

13. In reference to claim 2, Gabler teaches the method of claim 1, but fails to explicitly teach wherein filtering further includes filtering tags of the web page source data by rewriting tags of the web page source data in lowercase. However, Bodin teaches tokenizing HTML tags to reduce to reduce the quantity of data in the file (Summary, column 4 lines 25-47 and column 6 lines 20-32).

It would have been obvious for one of ordinary skill in the art to modify Gabler by tokenizing the tags as per the teachings of Bodin so that the quantity of data in the file is reduced thus facilitating transmission.

14. In reference to claim 5, Gabler teaches the method of claim 1, but fails to explicitly teach further comprising, compressing the modified web page source data before sending it to the remote client. However, Bodin teaches compressing the tokenized HTML file (Summary and column 6 lines 30-45).

It would have been obvious for one of ordinary skill in the art to modify Gabler by compressing the modified web file as per the teachings of Bodin so that the quantity of data in the file is reduced thus facilitating transmission.

15. Claims 3,4 and 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Gabler et al (US Patent No 6,300,959) in view of Brothers (US Patent No 6,438,125).

Gabler teaches the method of claim 1 above, but fails to explicitly teach further comprising, after transmitting the modified web page source data to the remote client, transmitting the original web page source data to the remote client; and wherein the original web page source data is sent to the remote client in response to a subsequent request from the remote client for the original, unfiltered version. However, Brothers teaches after transmitting a modified web page to the remote client, transmitting the original web page source data to the remote client; and wherein the original web page sent to the remote client in response to a

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subsequent request from the remote client for the original, unfiltered version (Abstract, column 2 lines 15-46 and column 5 lines 12-32).

It would have been obvious for one of ordinary skill in the art to modify Gabler to by transmitting a modified page to a client, and transmitting the original page to the client in response to another request from the client for the original page as per the teachings of Brothers so that the modified version can be viewed before the original version of the web data.

16. Claims 11 and 12 rejected under 35 U.S.C. 103(a) as being unpatentable over Gabler et al (US Patent No 6,300,959) in view of Isaac et al (US Patent No 6,424,981).

Gabler teaches the method of claim 10 which includes HTML, but fails to wherein the non-renderable character data is in the ASCII format; and wherein the non-renderable character data includes whitespace (column 10 lines 24-37). HTML is well known to contain ASCII coded characters which includes space characters as taught by Isaac (column 1 lines 20-50).

It would have been obvious for one of ordinary skill in the art to modify Gabler to state that HTML documents are ASCII coded documents as per the teachings of Isaac because this is a standard for HTML.

17. Claims 14 and 15 rejected under 35 U.S.C. 103(a) as being unpatentable over Gabler et al (US Patent No 6,300,959) in view of Edlund et al (US Patent No 6,546,388).

Gabler teaches the method of claim 10, but fails to explicitly teach wherein the non-renderable character data includes meta tags; and wherein the non-renderable character data includes keywords configured to be interpreted by a search engine. However, meta tags are well-

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known in HTML as taught by Edlund, and can be used for listing keywords in an HTML document for use by search engines (Summary and column 2 lines 5-50).

It would have been obvious for one of ordinary skill in the art to modify Gabler by stating that HTML includes meta tags as per the teachings of Bodin so that it can list keywords to be used by search engines on the Internet.

18. Claim 22 rejected under 35 U.S.C. 103(a) as being unpatentable over Gabler et al (US Patent No 6,300,959) in view of Burget (US Patent No 6,557,005).

Gabler teaches the method of claim 21 above, but fails to explicitly teach wherein the method includes a network communications program logic stored on an ASIC. However, Burget teaches a program for Internet communication stored on an ASIC, as a known medium of storage.

It would have been obvious for one of ordinary skill in the art to modify Gabler to make the communications program which performs the above method to be stored on an ASIC as per the teachings of Burget as it is a known medium of storage in the art.

19. Claims 23-42 do not teach or define any new limitations above claims 1-22 as mentioned above and are therefore rejected for similar reasons.

Response to Amendment

20. The examiner acknowledges amended claims 1, 3 and 4 filed on 5/4/2004, and added new claims 9-42.

Response to Arguments

21. Applicant's arguments with respect to claims 1-42 have been considered.

A response to the remarks will not be given because they are moot in view of the new ground(s) of rejection.

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M Osman whose telephone number is (703) 305-8050. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMO
August 26, 2004



SALEH NAJJAR
PRIMARY EXAMINER